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**TESTIMONY**  
**BEFORE THE**

**HOUSE COMMITTEE ON HOMELAND SECURITY SUBCOMMITTEE ON EMERGENCY  
PREPAREDNESS, SCIENCE AND TECHNOLOGY**

**ON**

**INCIDENT COMMAND, CONTROL, AND COMMUNICATIONS DURING A DISASTER**

**THE UNITED STATES HOUSE OF REPRESENTATIVES**

**SEPTEMBER 29, 2005**

**Introduction**

Thank you Chairman Reichert, Ranking Member Pascrell, and distinguished members of the Committee for allowing me the opportunity to provide you with a statement for the record on the nation's preparedness oversight system. I am Dave Liebersbach, Immediate Past-President of the National Emergency Management Association and Director of the Alaska Division of Homeland Security and Emergency Management. In my statement, I am representing the National Emergency Management Association (NEMA), whose members are the state directors of emergency management in the states, territories, and the District of Columbia. NEMA's members are responsible to their governors for emergency preparedness, mitigation, response, and recovery activities for natural, man-made, and terrorist caused disasters.

**Incident Command in Emergency Management**

Clear incident command structures, coordinated response, and working communications systems are the essential elements for maintaining control of any disaster, regardless of the cause. The onset of each disaster raises the question over communications. Seasoned state emergency management directors find that typically technology is not the problem. The problem lies with people not communicating before the disasters. Commonly, if people are not talking before the disaster, then they are rarely establishing relationships and communication during a disaster, which causes functional coordination break downs.

Incident command does not solve the coordination and communication problems, but it does bring accountability, common goals, and an organizational structure to disaster command and control. The common framework from which everyone is working sets forth goals that people at all levels of government and all disciplines are supporting from the top of the organization chart to the bottom. The method of communication is irrelevant, but the emergency response system needs the common framework from which to operate.

The recent disasters in the Gulf Coast have shown the challenges of command and control when the entire emergency services sector is wiped out by a disaster and communication links are also destroyed. While systems and plans are in place, command and control is extremely difficult when there is no way to communicate to the players in the system at all levels of government. Exercise, training and communication before an event in the planning process are critical, but command and control systems allow for a common framework to start with regardless of whether communications systems are working or not. Incident Command Systems (ICS) is a process, it is not strategy or tactics, but focuses on goals and objectives through the incident action plan.

In 1989, Alaska used incident command in response to the Exxon Valdez oil spill. The success of ICS in that event led to the Coast Guard picking up the system and inserting it into their operations. Alaska has utilized incident command on the ground executing the mission of the State, and we typically deploy teams prior to a disaster to support the state's mission to support the local government. The terrain and temperatures in Alaska can make communications difficult in a disaster, so I may send an incident command team to Nome or Bethel, Alaska to be ready with response and recovery functions if an event is predictable. In most cases, I try to proactively offer resources to local governments prior to an event. Sometimes the locals turn the support down or don't agree, but the offer eliminates confusion later. In Alaska, the state Constitution does not allow for the state to takeover, so it is imperative that the state continues in a support role to the local governments.

My colleague Craig Fugate in the State of Florida utilizes unified command, which is a hybrid of NIMS, to establish the State's goals in a disaster. In last year's Hurricane Charlie, Florida dispatched Incident Management Teams equipped with satellite communications to Charlotte County prior to the disaster. Immediately, the State was able to support the county infrastructure and response needs and they plugged right into the system with the ability to pull resources from other places in the State. Further, the State moved forward with a joint command presence between the State Coordinating Officer and the Federal Coordinating Officer with single mission. Florida found that the merged staffs under the unified command were able to move forward with joint missions, action plans and objectives where everyone understood the mission and each person's role in achieving the mission. With over 40 counties impacted, it was difficult to appoint a local to unified command in Florida, but the State did include liaisons in heavily impacted areas in the structure.

The unified command approach was used again in 2005 for Florida to address Hurricanes Dennis, Katrina and Rita. Alaska's Type I Incident Management Team was deployed to work post 9/11 in New York, in last year's hurricane response in Alabama, and just completed an assignment in the Gulf Coast post-Katrina.

### **Move to a National Incident Management System**

Incident command structures prior to 9/11 were varied by state and local government plans as well as by discipline. Emergency management was comfortable with the Incident Command System (ICS) and most state emergency management agencies were utilizing some form of system in the 1990s. The system is nimble enough to be used for a variety of disasters and events.

The 9/11 Commission highlighted the lack of coordination of command and control in their Report by calling for all emergency response agencies to adopt the Incident Command System (ICS) and structures for unified command. The report also called for Congress to make homeland security

funding contingent on the adoption and regular use of ICS and unified command. Further, the report states that “DHS should consider making funding contingent on aggressive and realistic training in accordance with ICS and unified command structures.” In response, the President offered Homeland Security Presidential Directive 5 on Management of Domestic Incidents. Shortly after, the Office of Homeland Security and then DHS began crafting the National Incident Management System (NIMS) with state and local governments.

NEMA has been on the record since 1996 advocating adoption of ICS by all levels of government. The beauty of ICS is that it is an all-hazards system that can be used for all incidents, regardless of the cause or size. NEMA was active in commenting on and participating in the writing team that developed later drafts of the National Response Plan and the NIMS. At the time of consideration of the system, NEMA recommended that flexibility be given for DHS to recognize pre-existing systems that meet the NIMS general criteria and standards. Currently, states are in the process of adopting NIMS to meet the requirements of Congress and the Administration to qualify for funding for FY 2006 and beyond.

During the consideration of the new NIMS, NEMA called for significant training and financial support for the training and certification necessary for states and localities to successfully adopt and implement the new NIMS. However, both DHS and the Congress told states and localities to comply, but did not point to a source of funding to train and exercise for the new system that was all-hazards based. DHS pointed to the state homeland security grants as a source of funding, but most emergency managers found that they were not able to utilize that funding specifically for NIMS. Many state and local governments have had to come up with funding themselves in an already tight fiscal environment to implement the mandate themselves as they formally adopt and comply with the NIMS.

NEMA did take the initiative to creatively work to introduce the concepts to state government officials through an interagency multi-discipline approach. NEMA, along with the Centers for Disease Control (CDC) hosted a series of training sessions in summer 2004 based on utilizing NIMS for bioterrorism events and also allowed for state and local participants to immediately exercise what they had learned during the training. Six states completed the training in 2004 and the CDC has provided additional funds for an additional five training sessions to be completed in the next twelve months. After the 2004 trainings, NEMA made all of the materials for the training and the exercise available to all states and localities that were interested. NEMA will begin updating the course and addressing needs for the additional training in the coming months.

## **EMAC**

The mutual aid assistance provided during these hurricanes vividly exposes the interdependencies of the nation’s emergency management system. For Hurricane Katrina, the Emergency Management Assistance Compact (EMAC) has currently fulfilled over 1200 missions with 44 states, the District of Columbia and Puerto Rico providing assistance in the form of more than 45,000 civilian and military personnel and equipment assets to support the impacted states. The missions and request for aid continue and are expected to continue for the next several months.

EMAC has its own command and control system operating at the request of the Governor of an impacted state. The EMAC system is built on states requesting aid from other states with EMAC advance teams (called A-teams) working in the state emergency management offices to ensure that aid

is being rendered for each request. In recent disasters, EMAC personnel have been deployed to FEMA's National Emergency Operations Center as the National Coordinating Team. Advance EMAC personnel were on the ground in Baton Rouge, LA and Jackson, MS prior to Hurricane Katrina to field the states' requests for assistance. The National Coordinating group works to coordinate the staffing of the A-Teams on the group. The EMAC system enables difficult issues such as liability, reimbursement, workers' compensation, and acceptance of states licenses to be addressed ahead of time, allowing personnel and resources from all disciplines to be utilized through EMAC's clear operating procedures. The National Guard status has been deployed through EMAC, despite being in Title 32 status because they like the structure and accountability provided through the compact's command and control structure.

### **Improving Command and Control**

We cannot afford ignore the lessons learned from Hurricane Katrina and Rita at the operational level. NEMA will look closely at the state-to-state mutual aid system in an after-action in the coming months once operational activity wanes. In the aftermath of catastrophic disasters and since the influx of homeland security funding, a few areas need increased focus that can be immediately identified.

To start, the federal government must work closely with state and local governments to define capabilities and competencies needed for ALL disasters, regardless of the cause. The system must utilize the Emergency Management Accreditation Program (EMAP) as the measuring stick, since that is the accepted peer review system and practice for addressing standards for emergency management agencies. More focus on natural disasters as catastrophic events must be implemented in the Administration's activities in the implementation of Homeland Security Presidential Directive 8 on National Preparedness.

HSPD 8 states that, "to the extent permitted by law, federal preparedness assistance will be predicated on the adoption of statewide comprehensive all-hazards preparedness strategies." Yet, the national planning scenarios include only three scenarios of the fifteen are not terrorist attacks. The directive calls for "threats and hazards that present the greatest risk". NEMA has long maintained that changing the focus of preparedness to weigh so heavily on terrorism could severely hamper the ability of state and local government capabilities to respond to a wide range of events with a higher likelihood of occurrence such as natural disasters, non-traditional disasters like the Columbia Space Shuttle explosion, Mad Cow disease, West Nile virus, civil unrest, and hazardous material incidents. Increased homeland security focus must be viewed as an *enhancement* to our basic emergency management capacity. Our system for public safety and homeland security must be mutually supportive and nimble enough to address any hazard.

NEMA strongly supports maintaining baseline funding for emergency management capacity building to ensure national preparedness against all hazards and maintenance of the nation's mutual aid system. The current need for mutual aid support in response to Hurricane Katrina vividly shows the need for all states to have appropriate capabilities to respond to disasters of all types and sizes. Additionally, resources are needed to build emergency response capabilities on a national basis and to ensure the system can handle the demand of natural disasters and other emergencies no matter where they occur. EMPG is the only means to support this assistance that can be offered by other states in the face of disaster through adequate preparedness. EMPG ensures all states have funding to develop and maintain a base level capacity that can be utilized by other states for mutual aid. Currently, there is a \$264

million shortfall to the EMPG program that must be addressed in the context that these recent disasters show in terms of the need for personnel and planning in every state and locality.

Additionally, two long standing issues must be addressed:

1. State and local updates of Continuity of Operations Planning and Continuity of Government Planning (COOP/COG) are needed along with federal financial assistance to support the effort; and,
2. Funding to improve and retrofit Emergency Operation Centers and funding for alternate EOC locations to provide for unified command;

Both of these points were also noted post-9/11 and were delivered to Congress and the Administration in the White Paper on Domestic Preparedness that was approved by NEMA, the Adjutants General Association of the U.S., the International Association of Emergency Managers, the National Guard Association of the U.S., and the Council of State Governments.

NEMA also recommends that state and local governments remain in control of their own disasters with federal support and unified command structures. Even in extreme circumstances, we need to continue to use and follow the plans and systems that are in place to address all disasters. State and local governments must have buy-in for the response and recovery of their communities. Federalizing a disaster could be extremely difficult with so many federal agencies lending support to a disaster. No disaster has been federalized in the past 30 years. Hurricane Camille in 1969 was the last time emergency management can recall a declaration of martial law with the military placed in charge. We cannot afford to return to the Civil Defense era of the 1950s and avoid all the lessons we have learned with catastrophic disasters over the last 30 years. The time to stop the cycle of degradation of emergency management functions by reorganization after reorganization is now and we must systematically improve our nation's emergency response system through verified lessons learned and not reactionary decisions. We hope that Congress will partner with NEMA as they move forward to consider changes to DHS organizational functions and the role of the Federal Emergency Management Agency (FEMA).

## **CONCLUSION**

NIMs and other incident command systems are vital to the success of emergency management and other emergency response providers in a disaster, provided that the system is built on communication before a disaster. State and local governments must have adequate funding for baseline emergency preparedness for emergency management so exercises and training can ensure that plans and systems are effective before a disaster. I thank you for the opportunity to testify on behalf of NEMA and appreciate your partnership. I hope we can work together to implement the lessons of Hurricane Katrina and Rita and ensure that the nation is adequately prepared for any disaster, regardless of cause.